

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

DEBRA BODOR

(b) County of Residence of First Listed Plaintiff Bucks County, PA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Michael F. McCartin, Esquire Murray L. Greenfield & Associates 9636 Bustleton Avenue

DEFENDANTS

DREAMLAND AMUSEMENTS, INC.

County of Residence of First Listed Defendant Placer County, NV (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State PTF DEF 1 1
- Citizen of Another State 2 2
- Citizen or Subject of a Foreign Country 3 3
- Incorporated or Principal Place of Business In This State 4 4
- Incorporated and Principal Place of Business In Another State 5 5
- Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<div><input type="checkbox"/> 110 Insurance</div> <div><input type="checkbox"/> 120 Marine</div> <div><input type="checkbox"/> 130 Miller Act</div> <div><input type="checkbox"/> 140 Negotiable Instrument</div> <div><input type="checkbox"/> 150 Recovery of Overpayment &amp; Enforcement of Judgment</div> <div><input type="checkbox"/> 151 Medicare Act</div> <div><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)</div> <div><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</div> <div><input type="checkbox"/> 160 Stockholders' Suits</div> <div><input type="checkbox"/> 190 Other Contract</div> <div><input type="checkbox"/> 195 Contract Product Liability</div> <div><input type="checkbox"/> 196 Franchise</div>	<div><b>PERSONAL INJURY</b></div> <div><input type="checkbox"/> 310 Airplane</div> <div><input type="checkbox"/> 315 Airplane Product Liability</div> <div><input type="checkbox"/> 320 Assault, Libel &amp; Slander</div> <div><input type="checkbox"/> 330 Federal Employers' Liability</div> <div><input type="checkbox"/> 340 Marine</div> <div><input type="checkbox"/> 345 Marine Product Liability</div> <div><input type="checkbox"/> 350 Motor Vehicle</div> <div><input type="checkbox"/> 355 Motor Vehicle Product Liability</div> <div><input checked="" type="checkbox"/> 360 Other Personal Injury</div> <div><input type="checkbox"/> 362 Personal Injury - Medical Malpractice</div>	<div><b>PERSONAL INJURY</b></div> <div><input type="checkbox"/> 365 Personal Injury - Product Liability</div> <div><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</div> <div><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</div> <div><b>PERSONAL PROPERTY</b></div> <div><input type="checkbox"/> 370 Other Fraud</div> <div><input type="checkbox"/> 371 Truth in Lending</div> <div><input type="checkbox"/> 380 Other Personal Property Damage</div> <div><input type="checkbox"/> 385 Property Damage Product Liability</div>	<div><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</div> <div><input type="checkbox"/> 690 Other</div> <div><b>LABOR</b></div> <div><input type="checkbox"/> 710 Fair Labor Standards Act</div> <div><input type="checkbox"/> 720 Labor/Management Relations</div> <div><input type="checkbox"/> 740 Railway Labor Act</div> <div><input type="checkbox"/> 751 Family and Medical Leave Act</div> <div><input type="checkbox"/> 790 Other Labor Litigation</div> <div><input type="checkbox"/> 791 Employee Retirement Income Security Act</div> <div><b>IMMIGRATION</b></div> <div><input type="checkbox"/> 462 Naturalization Application</div> <div><input type="checkbox"/> 465 Other Immigration Actions</div>	<div><input type="checkbox"/> 422 Appeal 28 USC 158</div> <div><input type="checkbox"/> 423 Withdrawal 28 USC 157</div> <div><b>INTELLECTUAL PROPERTY RIGHTS</b></div> <div><input type="checkbox"/> 820 Copyrights</div> <div><input type="checkbox"/> 830 Patent</div> <div><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application</div> <div><input type="checkbox"/> 840 Trademark</div> <div><input type="checkbox"/> 880 Defend Trade Secrets Act of 2016</div> <div><b>SOCIAL SECURITY</b></div> <div><input type="checkbox"/> 861 HIA (1395ff)</div> <div><input type="checkbox"/> 862 Black Lung (923)</div> <div><input type="checkbox"/> 863 DIWC/DIWW (405(g))</div> <div><input type="checkbox"/> 864 SSID Title XVI</div> <div><input type="checkbox"/> 865 RSI (405(g))</div> <div><b>FEDERAL TAX SUITS</b></div> <div><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</div> <div><input type="checkbox"/> 871 IRS—Third Party Act of 2016</div>	<div><input type="checkbox"/> 375 False Claims Act</div> <div><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</div> <div><input type="checkbox"/> 400 State Reapportionment</div> <div><input type="checkbox"/> 410 Antitrust</div> <div><input type="checkbox"/> 430 Banks and Banking</div> <div><input type="checkbox"/> 450 Commerce</div> <div><input type="checkbox"/> 460 Deportation</div> <div><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</div> <div><input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)</div> <div><input type="checkbox"/> 485 Telephone Consumer Protection Act</div> <div><input type="checkbox"/> 490 Cable/Sat TV</div> <div><input type="checkbox"/> 850 Securities/Commodities/Exchange</div> <div><input type="checkbox"/> 890 Other Statutory Actions</div> <div><input type="checkbox"/> 891 Agricultural Acts</div> <div><input type="checkbox"/> 893 Environmental Matters</div> <div><input type="checkbox"/> 895 Freedom of Information Act</div> <div><input type="checkbox"/> 896 Arbitration</div> <div><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</div> <div><input type="checkbox"/> 950 Constitutionality of State Statutes</div>
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<div><input type="checkbox"/> 210 Land Condemnation</div> <div><input type="checkbox"/> 220 Foreclosure</div> <div><input type="checkbox"/> 230 Rent Lease &amp; Ejectment</div> <div><input type="checkbox"/> 240 Torts to Land</div> <div><input type="checkbox"/> 245 Tort Product Liability</div> <div><input type="checkbox"/> 290 All Other Real Property</div>	<div><input type="checkbox"/> 440 Other Civil Rights</div> <div><input type="checkbox"/> 441 Voting</div> <div><input type="checkbox"/> 442 Employment</div> <div><input type="checkbox"/> 443 Housing/Accommodations</div> <div><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</div> <div><input type="checkbox"/> 446 Amer. w/Disabilities - Other</div> <div><input type="checkbox"/> 448 Education</div>	<div><b>Habeas Corpus:</b></div> <div><input type="checkbox"/> 463 Alien Detainee</div> <div><input type="checkbox"/> 510 Motions to Vacate Sentence</div> <div><input type="checkbox"/> 530 General</div> <div><input type="checkbox"/> 535 Death Penalty</div> <div><b>Other:</b></div> <div><input type="checkbox"/> 540 Mandamus &amp; Other</div> <div><input type="checkbox"/> 550 Civil Rights</div> <div><input type="checkbox"/> 555 Prison Condition</div> <div><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</div>			

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. Section 1332 (a)(1)

VI. CAUSE OF ACTION

Brief description of cause: Trip & fall

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ in excess of \$75,000

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE 8/8/22 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE



DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 25 Hilltop Drive, Churchville, PA 18966

Address of Defendant: 297 Kingsbury Grad, Suite 1040, M.B. 4470, Lake Tahoe, NV 89449

Place of Accident, Incident or Transaction: Bucks County, Pennsylvania

RELATED CASE, IF ANY:

Case Number: Judge: Date Terminated:

Civil cases are deemed related when **Yes** is answered to any of the following questions:

- |  |                              |  |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 8/8/2022

*Michael F. McCartin*  
Must sign here  
Attorney-at-Law / Pro Se Plaintiff

59562  
Attorney I.D. # (if applicable)

CIVIL: (Place a ☒ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
  - ☐ 2. FELA
  - ☐ 3. Jones Act-Personal Injury
  - ☐ 4. Antitrust
  - ☐ 5. Patent
  - ☐ 6. Labor-Management Relations
  - ☐ 7. Civil Rights
  - ☐ 8. Habeas Corpus
  - ☐ 9. Securities Act(s) Cases
  - ☐ 10. Social Security Review Cases
  - ☐ 11. All other Federal Question Cases
- (Please specify):

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
  - ☐ 2. Airplane Personal Injury
  - ☐ 3. Assault, Defamation
  - ☐ 4. Marine Personal Injury
  - ☐ 5. Motor Vehicle Personal Injury
  - ☒ 6. Other Personal Injury (Please specify): Trip & fall
  - ☐ 7. Products Liability
  - ☐ 8. Products Liability – Asbestos
  - ☐ 9. All other Diversity Cases
- (Please specify):

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Michael F. McCartin, counsel of record or pro se plaintiff, do hereby certify:

- ☒ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- ☐ Relief other than monetary damages is sought.

DATE: 8/8/22

*Michael F. McCartin*  
Sign here if applicable  
Attorney-at-Law / Pro Se Plaintiff

59562  
Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

2. Plaintiff, Debra Bodor, is an adult individual residing at the above-captioned address.

3. Defendant, Dreamland Amusements, Inc., is a business entity duly organized and existing pursuant to the laws of the state of Nevada, which does business in Bucks County, Bensalem Township, Pennsylvania and has business offices at the above-captioned address.

#### **JURISDICTION**

4. The Court's jurisdiction is founded on 28 U.S.C. § 1332 (a)(1). Venue is in the Eastern District of Pennsylvania under 28 U.S.C. § 1391 (a)(1).

#### **GENERAL ALLEGATIONS**

5. On the aforesaid date, Plaintiff was attending the Dreamland Amusements, Inc. carnival located at Neshaminy Mall, 707 Neshaminy Mall, Bensalem, PA, when suddenly and without warning she was caused to trip and fall over a photo stand, which was poorly marked and had protruding support rails, when walking from the fun house to another ride. As a result of her fall Plaintiff was caused to sustain injuries as hereinafter set forth.

#### **COUNT I** **DEBRA BODOR V. DREAMLAND AMUSEMENTS, INC.**

6. Plaintiff incorporates by reference paragraphs 1 through 5 of this Complaint, the same as set forth fully at length herein.

7. At all times hereinafter mentioned Defendant, Dreamland Amusements, Inc., through their duly authorized agents, servants, workmen and/or employees, was the owner of the carnival operating at Neshaminy Mall, 707 Neshaminy Mall, Bensalem, Pennsylvania 19020 on June 15, 2021.

8. At all times hereinafter mentioned, Defendant, Dreamland Amusements, Inc., had the duty, as owner of the above-mentioned carnival, to keep and maintain the above said area in a reasonably safe condition for public travel thereon.



9. At all times hereinafter mentioned, Defendant, Dreamland Amusements, Inc., had under their care and direction, individually and/or through his agents, servants, workman and/or employees, control and maintenance of the carnival located at Neshaminy Mall, 707 Neshaminy Mall, Bensalem, Pennsylvania.

10. On or about June 15, 2021, there existed in the aforementioned premises certain defects to the property, with other obstructions and impediments to safe public travel.

11. The aforementioned latent and patent defects had existed prior to the aforesaid accident upon which this action arises.

12. Defendant, Dreamland Amusements, Inc., should and could have had knowledge of the existence of the aforesaid defective condition.

13. Defendant, Dreamland Amusements, Inc., by and through their authorized agents, servants, workmen and/or employees, was careless and negligent in:

- a. causing and/or permitting the aforesaid area to become and remain defective and unsafe;
- b. failing to properly and adequately maintain the aforesaid area;
- c. failing to properly and adequately warn the plaintiff of the dangerous conditions then and there existing by putting up placards or warning signs;
- d. failing to properly and adequately inspect the said area to ascertain the existence of dangerous and unsafe conditions therein;
- e. causing and/or permitting unsafe conditions to become and remain in the said area;
- f. failing to properly and adequately correct the defective and unsafe conditions of the area; and

g. failing to properly mark the support railings so as to avoid a tripping hazard for patrons.

14. Solely as a result of the negligence and carelessness of the Defendant, Dreamland Amusements, Inc., Plaintiff, Debra Bodor, sustained serious injuries including, but not limited to a fracture of the surgical head of the left humerus, left arm swelling, left arm and shoulder tenderness, swelling and left shoulder injuries, all of which injuries and conditions are, or may be, permanent in nature.

15. Solely as a result of the negligence and carelessness of the Defendant, as aforesaid, Plaintiff, Debra Bodor, has been obligated to expend various sums of money for medicine, medical attention and other assistance in and about endeavoring to treat, cure and care for herself due to the aforesaid injuries, all of which may continue in the future, to her great detriment and loss.

16. Said medical bills include, but are not limited to, the following:

- a. Bensalem Rescue Squad  
3830 Hulmeville Road  
Bensalem, PA 19020
- b. St. Mary Medical Center  
Langhorne-Newtown Road  
Langhorne, PA 19047
- c. Redeemer Physical Therapy  
910 Second Street Pike  
Richboro, PA 18954
- d. Nicholas Phillips, D.O.  
Orthopedic Surgery & Rehabilitation Associates  
888 Fox Chase Road  
Rockledge, PA 19046

17. As a further result of the accident aforesaid, Plaintiff has sustained a medically determinable physical and/or mental impairment, which prevents Plaintiff from performing all,

VERIFICATION

I, Debra Bodor, verify that the statements made in the foregoing pleading are true and correct.  
I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date:

7/7/22

Debra Bodor

DEBRA BODOR

or substantially all of the material acts which constitute her usual and daily activities and which continues to her great detriment and loss.

18. As a further result of the accident, Plaintiff has incurred medical bills and may incur a medical lien with the Department of Public Welfare and/or Medicare.

19. As a further result of the accident, Plaintiff has suffered pain and suffering and for a period of time lost the use of her left arm requiring assistance with activities of daily living.

WHEREFORE, Plaintiff, Debra Bodor, demands judgment in her favor and against Defendant, Dreamland Amusements, Inc., Inc. in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) plus costs and interests.

Respectfully submitted,

MURRAY L. GREENFIELD & ASSOCIATES

Date: August 8, 2022

  
\_\_\_\_\_  
MICHAEL F. McCARTIN, ESQUIRE